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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Goix et al.

Serial No. 09/844,080

Filed: April 26, 2001

For: *Particle or Cell Analyzer and Method*

Art Unit: 1641

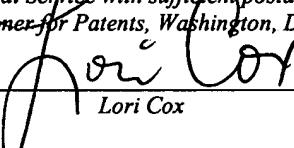
Examiner: Gabel, G.

### RESPONSE/AMENDMENT

Date: March 27, 2003

*CERTIFICATE OF MAIL (37 CFR 1.8(a))*

*I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to Box Non-Fee Amendment, Assistant Commissioner for Patents, Washington, DC 20231 on March 27, 2003*

Signed: 

Lori Cox

### BOX NON-FEE AMENDMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

This is in Response to the Office Action mailed February 14, 2003 for the above-identified application.

In the Claims:

Please amend claims 1, 4-7, 9, 34 and 35 as follows. All pending claims, whether or not amended, are presented below for the Examiner's convenience.

1. (Amended) A particle analyzing apparatus for analyzing a sample comprising:  
an elongated capillary channel having a predetermined internal cross-sectional area, said channel having first and second ends,  
a pump connected to the first end of the capillary channel for drawing sample into the second end of the capillary channel and through the capillary channel to cause particles to flow along said capillary channel,  
a light source for illuminating a predetermined length of the capillary channel to illuminate the volume of sample in said predetermined length, and
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**TRANSMITTAL FOR  
RESPONSE/AMENDMENT**

Date: March 27, 2003

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Signed:

  
Lori Cox**TRANSMITTAL LETTER**

Box: NON-FEE AMENDMENT  
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

Please find enclosed the following documents relating to the subject patent application:

- Amendment in response to Office Action dated February 14, 2003;
- Please charge any additional fees or credit any overpayment to Deposit Account No.50-2319 (Order No. A-69516/AJT (463032-00023)); and
- Stamp addressed return postcard.

Respectfully submitted,



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For: Aldo J. Test, Reg. No. 18,048

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